

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF OREGON

YELENA NIKOLAYCHUK, Personal
Representative of the Estate of
Igor Nikolaychuk,

3:17-cv-00921-JE

Plaintiff,

ORDER

v.

NATIONAL CASUALTY COMPANY,

Defendant.

IVAN S. ZACKHEIM
1750 S.W. Skyline Blvd, Suite 220
Portland, OR 97221
(503) 222-1162

Attorney for Plaintiff

ADAM E. JONES
Selman Breitman LLP
111 S.W. 5th Ave., Suite 3150
Portland, OR 97204
(503) 444-3530

Attorneys for Defendant

BROWN, Judge.

Magistrate Judge John Jelderks issued Findings and

Recommendation (#15) on September 21, 2017, in which he recommends this Court deny Defendant's Motion (#5) to Dismiss and deny Plaintiff's Motion (#13) to Strike as moot. The matter is now before this Court pursuant to 28 U.S.C. § 636(b)(1)(B) and Fed. R. Civ. P. 72(b).

Because no objections to the Magistrate Judge's Findings and Recommendation were timely filed, this Court is relieved of its obligation to review the record *de novo*. See *Dawson v. Marshall*, 561 F.3d 930, 932 (9th Cir. 2009). See also *United States v. Reyna-Tapia*, 328 F.3d 1114, 1121 (9th Cir. 2003)(*en banc*). Having reviewed the legal principles *de novo*, the Court finds no error.

CONCLUSION

The Court **ADOPTS** Magistrate Judge Jelderks's Findings and Recommendation (#15). Accordingly, the Court **DENIES** Defendant's Motion (#5) to Dismiss and **DENIES** Plaintiff's Motion (#13) to Strike as moot.

IT IS SO ORDERED.

DATED this 30th day of October, 2017.

/s/ Anna J. Brown

ANNA J. BROWN
United States Senior District Judge